

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Cecily R. McClellan
Creditor/objector

Chapter 9 Bankruptcy
Case #13-53846

Judge Steven W.

Rhodes

V.

In re: City of Detroit, Michigan and
Emergency Manager Kevin Orr
Debtor/City of Detroit

**MOTION TO OBJECT TO 5TH AMENDMENT PLAN OF ADJUSTMENT
AND ALL CORRECTIONS**

- I. I hereby object to the Fifth Amended Plan and Corrections for the reasons stated below. This objection incorporates by reference Cecily R. McClellan Objection Docket# 5951 of the motion dated July 11, 2014, and supplemental objection Docket 6388 and 6389. Now comes creditor/objector Cecily R. McClellan pursuant to Hon. Steven Rhodes on July 15, 2014 asking Attorney Carol Neville of the Denton Law firm whether she intended to seek relief as it relates to Jones Day failure to provide adequate disclosure to Class 11 on the 6.75% interest charged on the recoupment/claw-back included in the calculations enclosed on the voting ballots. On July 15, 2014, immediately following the objectors hearing Attorney Carol Neville spoke to a group of retirees some of whom had just gave testimony on objections to the Fourth Amendment of Plan of Adjustment submitted by Jones Day on behalf of the City of Detroit. Attorney Carol Neville was asked by the above stated objector in the present of several witnesses, why didn't she seek relief

when asked by Judge Rhodes?" She went on to state that "if she had sought relief the judge would have only denied that relief". Attorney Neville stated that seeking relief could derail the bankruptcy. Attorney Neville evidence by her statement that full disclosure should not interfere with the confirmation of this bankruptcy. Additionally, those creditors would not have voted to reject the bankruptcy, if they had known that the recoupment/claw-back from the creditors saving funds also included an additional 6.75% interest, both solely paid for by creditors. When challenged on the lack of effective counsel provided by herself and the Denton Law Firm to the retiree committee, counsel retorted that this lack of disclosure would provide leverage as a bargaining tool with Jones Day Law Firm. It is the contention of this objector that as a tax paying resident of the City of Detroit, former employee of the City of Detroit, retiree that the tax dollars used to pay the Denton Law Firm are provided by creditors like. Therefore, we are the clients that the Denton Law Firm represents and failure to represent constitutes ineffective representation by counsel. The court appointed retiree committee attorneys' through the Denton Law Firm are required to legally pursue all reasonably option that would ameliorate the financial impact of bankruptcy on their clients. Which includes mandating all disclosures in plain language so that their clients can make an informed decision when voting?

- II. The proposed **evidence** is not duplicative of other evidence and no one in Class 11 has made this argument exclusively. The plans lack compliance with the requirements in Sec. 1129(a)(3) that "The plan has been proposed in good faith". Chapter 9 Bankruptcy requires full disclosure of financial terms of agreement, specifically those issues mandating a vote of approval or rejection. Sec.11XX(X)The vote should disclose all financial obligation in plain language.

III. Witnesses

Bill Davis
 Steven Wojtowicz
 Diane Bukowski
 Belinda Florence

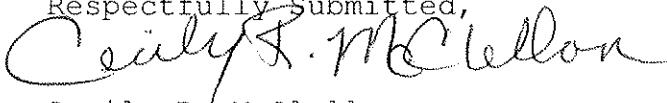
Yvonne Jones-Williams
Laverne Holloway
Cynthia Darrah
Gladys Woolfolk

IV. Time 15-30 minutes

V. Exhibits:

The Chapter 9 Bankruptcy Codes Section(s) 1129(a)(3) that
"The plan has been proposed in good faith".
Steven Wojtowicz Docket # 5163,5264,4392
Jamie L. Fields Dockets 6379 and #6671
Objections to plan confirmation and voting process Dockets
6300 and 6595

Respectfully Submitted,

A handwritten signature in cursive script, reading "Cecily R. McClellan". The signature is written in dark ink and is positioned above the printed name and email address.

Cecily R. McClellan
mcclellanr@netzero.net

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CASE NO: 13-53846
CHAPTER: 9
JUDGE: Rhodan

City of Detroit Debtor.

CERTIFICATE OF SERVICE

I hereby certify that on 8/18/2014 (date of mailing), I served

copies as follows:

1. Document(s) served:

Motion to Object to 5th Amended Plan of Adjustment and All Collections

2. Served upon [name and address of each person served]:

David Heiman
Jared Ray
901 Lakeside Ave
Cleveland Ohio 44114

FILED
2014 AUG 18 P 3:44
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

3. By First Class Mail.

Dated: 8/18/2014

Belinda A. Myer Helence
(Signature of Debtor)

Print Name: _____

(Signature of Co-Debtor)

Print Name: _____